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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

JOSHUA SIMON, DAVID BARBER, and
JOSUE BONILLA, individually and on behalf
of all others similarly situated,

Plaintiffs,

v.

CITY AND COUNTY OF SAN FRANCISCO;
and PAUL MIYAMOTO, in his official
capacity as San Francisco Sheriff,

Defendants.

Case No.: 4:22-cv-05541-JST

**JOINT STIPULATION AND [PROPOSED]
ORDER TO CONTINUE CASE
MANAGEMENT CONFERENCE**

Judge: Hon. Jon S. Tigar
Courtroom: Courtroom 6, 2nd Floor
Date: December 9, 2025
Time: 2:00 P.M.

JOINT STIPULATION TO CONTINUE CASE MANAGEMENT CONFERENCE

Plaintiffs Joshua Simon, David Barber, and Josue Bonilla (together, “Plaintiffs”) and Defendants City and County of San Francisco and Paul Miyamoto (together, “Defendants,” and together with Plaintiffs, the “Parties”), by and through their respective undersigned counsel of record, hereby stipulate as follows:

WHEREAS, on February 13, 2024, this Court issued a preliminary injunction (the “Preliminary Injunction”);

WHEREAS, on February 27, 2024, Defendants appealed the Preliminary Injunction in the Ninth Circuit, captioned *Simon v. City and County of San Francisco*, No. 24-1025 (9th Cir.) (the “Appeal”);

WHEREAS, Defendants appealed to the Ninth Circuit this Court’s order on Plaintiffs’ Motion to Enforce the Preliminary Injunction, and Plaintiffs moved to dismiss the appeal, in *Simon v. City and County of San Francisco*, No. 24-6052 (9th Cir.) (the “Second Appeal”);

WHEREAS, on April 23, 2025, the Ninth Circuit affirmed in part and vacated in part the Preliminary Injunction in the Appeal, denied Plaintiffs’ motion to dismiss the Second Appeal, and granted Defendants’ motion to stay in the Second Appeal, *Simon v. City and County of San Francisco*, 135 F.4th 784 (9th Cir. 2025);

WHEREAS, on June 10, 2025, the Court issued an order scheduling a case management conference to July 15, 2025 (subsequently re-scheduled to August 26, 2025, and then to September 30, 2025);

WHEREAS, on September 24, 2025, the Court issued an order continuing the case management conference to October 28, 2025;

WHEREAS, on October 22, 2025, the Court issued an order continuing the case management conference to December 9, 2025; and

WHEREAS, in light of the Ninth Circuit’s ruling, the Parties continue to discuss potential resolution of this action.

To preserve the Parties’ and this Court’s resources, the parties HEREBY STIPULATE AND AGREE and jointly request that the Court continue the Case Management Conference to Tuesday,

February 17, 2026 at 2:00 p.m. or such other date and time as is convenient for the Court.

Dated: December 1, 2025

FRESHFIELDS US LLP

By: /s/ Andrew Ehler

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Dated: December 1, 2025

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¹ Pursuant to Local Rule 5-1(i)(3), counsel for Plaintiffs attest that Defendants have concurred in the filing of the document.

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Attorneys for Defendants

[PROPOSED] ORDER

FOR GOOD CAUSE SHOWN, the Court hereby continues the Case Management
Conference from December 9, 2025 to February 17, 2026 at 2:00 p.m.

Dated: _____

By: _____
Honorable Jon S. Tigar
U.S. District Court Judge